



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Hideyuki KAWAMURA

Art Unit: 2834

Appln. No. 09/925,703

Examiner: T. N. Nguyen

Date Filed: August 10, 2001

Washington, D.C.

For: MAGNETIC FLUX CONTROL...

Atty.'s Docket: KAWAMURA=67

Date: March 12, 2003

Confirmation No. 4228

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sir:

Transmitted herewith is a [X] REPLY TO REQUIREMENT FOR ELECTION OF SPECIES the above-identified application.

[] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted
 [] Applicant claims small entity status. See 37 C.F.R. §1.27.
 [xx] No fee is required.

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	*	MINUS ** 20	0
INDEP.	*	MINUS *** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			

ADDITIONAL FEE TOTAL

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
x 9	\$		x 18	\$
x 42	\$		x 84	\$
+ 140	\$		+ 280	\$
		ADDITIONAL FEE TOTAL		TOTAL

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[] First - \$ 55.00
 [] Second - \$ 205.00
 [] Third - \$ 465.00
 [] Fourth - \$ 725.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

[] First - \$ 110.00
 [] Second - \$ 410.00
 [] Third - \$ 930.00
 [] Fourth - \$ 1450.00

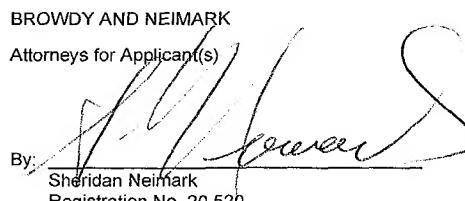
Month After Time Period Set

[] Less fees (\$_____) already paid for ____ month(s) extension of time on _____.
 [] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: KAWAMURA=67

In re Application of:) Art Unit: 2834
Hideo KAWAMURA) Examiner: T. N. Nguyen
Appln. No.: 09/925,703) Washington, D.C.
Date Filed: August 10, 2001) Confirmation No.: 4228
For: MAGNETIC FLUX CONTROL...) March 12, 2003

REPLY TO REQUIREMENT FOR ELECTION OF SPECIES

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

Replying to the Office Action mailed February 11, 2003, applicant hereby respectfully and provisionally elects Species II corresponding to Figs. 7-14, with traverse and without prejudice. The claims which read on the elected Species II of Figs. 7-14 are claims 1 and 35-40 which are generic to all or most species including the elected Species II, as well as specific claims 9-12.

The requirement is traversed on the basis of the second paragraph of MPEP 803 which requires the examination of plural inventions (e.g. plural species), even though the requirement is correct, if it would not constitute a "serious burden" to search and examine such plural inventions. Even though the present species may indeed be patentably distinct

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from one another, applicant believes that they are sufficiently similar so that a single search and examination can be carried out without serious burden, particularly bearing in mind that the generic claims 1 and 35-40 in any event must be examined.

Applicant respectfully requests withdrawal of the requirement, at least in part, and the examination of plural species on the merits.

Applicant respectfully awaits the results of an examination on the merits.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
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